

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CENTRAL STATES, SOUTHEAST AND )  
SOUTHWEST AREAS PENSION FUND, )  
and HOWARD McDougall, trustee, )  
  )  
   Plaintiffs, ) Case No. 07 C 6486  
  )  
   v. ) Judge Hart  
  )  
MERRILL'S CONTRACTORS, INC., ) Magistrate Judge Mason  
an Illinois corporation, )  
  )  
   Defendant. )

**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs Central States, Southeast and Southwest Areas Pension Fund and Howard McDougall, trustee, hereby give notice of their voluntary dismissal of the above captioned matter. Plaintiffs further state that the dismissal shall be with prejudice.

Respectfully submitted,

/s/ Thomas M. Weithers  
Thomas M. Weithers  
Attorney for Plaintiffs,  
Central States, Southeast and Southwest  
Areas Pension Fund  
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June 10, 2008

**CERTIFICATE OF SERVICE**

I, Thomas M. Weithers, one of the attorneys for Plaintiffs Central States, Southeast and Southwest Areas Pension Fund, certify that on June 10, 2008, I caused the foregoing Notice of Voluntary Dismissal With Prejudice to be filed electronically. This filing was served on all parties indicated on the electronic filing receipt via the Court's electronic filing system.

/s/ Thomas M. Weithers

Thomas M. Weithers  
One of Central States' Attorneys